



WEB COPY

Crl.O.P.No.2894 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.2894 of 2025

Naveen Shankar
S/o.Dhananjeyan

...Petitioner/Accused-3

Vs.

State through
The Inspector of Police,
CCD-I, Chennai West Zone,
Chennai District.

(Crime No.304 of 2024)

...

Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioner on bail in Crime No.304 of 2024 pending investigation on the file of the respondent police.

For Petitioner : Mr.P.Muthamizhselvakumar

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)



ORDER

This Criminal Original Petition has been filed by the petitioner, who was arrested and remanded to judicial custody on 27.12.2024, seeking bail in Crime No.304 of 2024 registered for the offence under Sections 11(4) r/w 12 and 15 of POCSO Act and Section 67B(b) of Information Technology Act, 2008.

2.The case of the prosecution is that on 14.12.2024, the respondent received a special report from the Sub Inspector of Police, Social Media Cell stating that a child's obscene photos and videos were shared in social media groups. It is further alleged that the petitioner received the pornography content from A1 and forwarded it to social media groups. Hence, the case.

3.Learned counsel appearing for the petitioner submitted that the petitioner is innocent and he has been falsely implicated in this case and in any case, considering the period of incarceration, the petitioner may be released on bail.



4.Per contra, learned Government Advocate (CrI.Side) appearing for the respondent police, while opposing for grant of bail to the petitioner, submitted that the petitioner has involved in the offence and that investigation is still pending.

5.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (CrI.Side) for the respondent Police and perused the materials available on record.

6.Considering the nature of allegations, period of incarceration and since further custody of the petitioner is not required for the purposes of interrogation, this Court this Court is inclined to grant bail to the petitioner with certain conditions.

7.Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the **Special Court for Exclusive Trial of Cases under POCSO Act, Chennai**, and on further conditions that:



[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];***

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

06.02.2025

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Copy to:

- 1.The Inspector of Police,
CCD-I, Chennai West Zone,
Chennai District.
- 2.The Superintendent of Prison,
Central Prison, Puzhal – II.
- 3.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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